

number of each under supervision on June 30, 2006;

(e) Whether the adult parole supervising agency conducts prison release hearings; and between July 1, 2005 and June 30, 2006, the number of prisoners considered for release and the number of prisoners released;

(f) Whether the adult parole supervising agency sets the terms/conditions of adult parole supervision and, if not, who does;

(g) Between July 1, 2005 and June 30, 2006, the number of adult parole revocation hearings conducted by the adult parole supervising agency; or who has responsibility for conducting adult parole revocation hearings;

(h) On June 30, 2006, the number of adult parolees under their jurisdiction who were active, inactive, absconders, or supervised out of state;

(i) On June 30, 2006, the number of parolees required to have face-to-face contact with a parole officer at least once per week, once per month, and less than once per month; the number of parolees no longer required to report on a regular basis; and the number of parolees released from prison for whom a reporting frequency had not been determined;

(j) On June 30, 2006, the number of full-time and part-time payroll staff, nonpayroll staff, and contract staff employed by the agency;

(k) On June 30, 2006, the number of full-time and part-time male and female staff employed by the agency;

(l) On June 30, 2006, the number of full-time equivalent staff who directly supervised adults who were active on parole;

(m) Between July 1, 2005 and June 30, 2006, the number of parolees returned to incarceration because of a drug violation;

(n) As of June 30, 2006, whether any parolees were enrolled in a drug treatment program; and the number in a drug treatment program run by a formally trained drug treatment professional, and the number in a self-help or drug awareness program;

(o) As of June 30, 2006, the number of parolees enrolled in a sex offender treatment program;

(p) As of June 30, 2006, the number of parolees enrolled in a mental health treatment program run by a formally trained mental health professional;

(q) Whether on June 30, 2006, the parole agency had a program that provided assistance to adult parolees in obtaining housing, and the type of program;

(r) Whether on June 30, 2006, the parole agency had a program that provided assistance to adult parolees in

obtaining employment, and the type of program;

(s) On June 30, 2006, the number of separate offices in the parole agency;

(t) The number of adult parolees under supervision at the headquarters office on June 30, 2006;

(u) The name of any regional or district office with which the headquarters office is co-located;

(v) As of June 30, 2006, the number of adult parolees under supervision at each regional or district office (including field offices located within that administrative unit); and

(w) As of June 30, 2006, the number of field offices located within each of the regional or district offices which supervised adult parolees.

The Bureau of Justice Statistics uses this information in published reports and for the U.S. Congress, Executive Office of the President, practitioners, researchers, students, the media, and others interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that approximately 54 respondents will each take an average of 3 hours to respond.

(6) *An estimate of the total public burden (in hours) associated with the collection:* It is estimated that there will be 162 hours associated with this collection.

If additional information is required contact: Brenda E. Dyer, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: November 3, 2005.

**Brenda E. Dyer,**

*Department Clearance Officer, Department of Justice.*

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## DEPARTMENT OF JUSTICE

### Office of Justice Programs

#### Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 60-Day Notice of Information Collection Under Review: Financial Status Report (Short Form).

The Department of Justice (DOJ), Office of Justice Programs (OJP), Office of the Comptroller (OC), has submitted the following information collection

request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. This proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until January 9, 2006. This process is conducted in accordance with 5 CFR 1320.10.

If you have suggestions or comments especially on the estimated public burden or associated response time, or need a copy of the proposed information collection instrument with instructions, please contact Cynthia J. Schwimer, Comptroller (202) 307-0623, Office of the Comptroller, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW., Washington, DC 20531.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information:

(1) *Type of information Collection:* Revision of a currently approved collection.

(2) *The title of the Form/Collection:* Financial Status Report (Short Form).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form number: none; Office of the Comptroller, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: The form is completed by State, Local and Tribal Governments, who were awarded grants by the Department of Justice, Office of Justice Programs, and other cross

servicing agencies. It is used as an aid for grant recipients to report the status of their expenditures.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* The estimated number of respondents is 15, 304, and the estimated time for an average respondent to reply is 30 minutes.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are approximately 30,608 annual burden hours associated with this collection.

*If additional information is required contact:* Brenda E. Dyer, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: November 3, 2005.

**Brenda E. Dyer,**

*Department Clearance Officer, Department of Justice.*

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

[Exemption Application No. D-11246]

#### **Adoption of Amendment to Prohibited Transaction Exemption (PTE) 99-29 Involving Bankers Trust Company, Deutsche Bank Trust Company Americas (DBTCA), and Deutsche Bank, AG**

**SUMMARY:** This document contains an amendment to PTE 99-29 (64 FR 40623, July 27, 1999), an exemption granted to Bankers Trust Company. PTE 99-29 permits DBTCA (formerly known as Banker's Trust Company) to continue to function as a qualified professional asset manager (QPAM) under PTE 84-14 (49 FR 9494, March 13, 1994). The amendment affects participants and beneficiaries and fiduciaries of employee benefit plans to which DBTCA served as custodian.

**EFFECTIVE DATE:** The amendment is effective as of January 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** Allison Padams Lavigne, Office of Exemption Determinations, Employee Benefits Security Administration, US Department of Labor, Washington, DC 20210 at (202) 693-8540. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** On February 3, 2005, the Department

published a notice of proposed exemption that would amend PTE 99-29. The amendment was requested in an application filed on behalf of DBTCA. DBTCA is a New York banking, fiduciary, record keeping custodial, brokerage and investment services to corporations, institutions, governments, employee benefit plans, governmental retirement plans, and private investors worldwide. Deutsche Bank, AG indirectly wholly owns DBTCA.

The proposed amendment invited interested persons to submit comments to the Department on or before March 21, 2005. On February 17, 2005, the applicant notified the Department that the names and addresses of certain individuals who may be entitled to receive notice of the proposed amendment were contained in records that were destroyed by the events that occurred on September 11, 2001. As a result, the applicant did not notify interested persons within the three-day period specified in the proposed amendment. The applicant requested that the comment period be extended to ensure that interested persons would have a sufficient amount of time in which to provide their comments to the Department. In addition, the applicant stated that it had the names and addresses of custody clients of DBTCA as of December 31, 2002. The applicant believed that this list of clients would reasonably include all parties that would have an interest in the proposed amendment. The Department concurred with the applicant. Accordingly, on March 29, 2005, the applicant sent notice to all custody clients of DBTCA as of December 31, 2002. This notice informed interested persons of their right to comment on the proposed amendment, and informed these persons that comments were due to the Department on or before May 27, 2005.

#### **Written Comments**

The Department received one written comment. No requests for a public hearing were received. The comment was submitted by the applicant who wished to clarify that check ledgers, cancelled checks and class action records that are described in the notice of proposed amendment continue to be the property of the applicant, but such materials can only be effectively searched using State Street's record keeping systems. In this regard, State Street currently serves as inquiry response and information agent for the applicant, and maintains information on its systems. The applicant relies upon State Street to answer inquiries related to these records. Under the terms of the applicant's arrangement with State

Street, State Street may resign from its inquiry response and information retrieval duties on or after April 28, 2007. The applicant represents that in the event of State Street's resignation, the applicant will locate another agent who will create a similar retrieval system, or re-establish an in-house information retrieval system. Under either arrangement, records will be maintained in accordance with the terms specified under the amendment to PTE 99-29.

For further information regarding the comment or other matters discussed herein, interested persons are encouraged to obtain copies of the exemption application file (Exemption Application No. D-11246). The complete application file and all supplemental submissions received by the Department, are available for public inspection in the Public Disclosure Room of the Employee Benefits Security Administration, Room N-1513, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Accordingly, after giving full consideration to the entire record, including the written comment received, the Department has decided to adopt the amendment to PTE 99-29.

#### **General Information**

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and/or 4975(c)(2) of the Internal Revenue Code of 1986 (the Code) does not relieve a fiduciary or other party in interest with respect to a plan to which the exemption is applicable from certain other provisions of the Act and/or the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary provisions of section 404 of the Act which, among other things, requires a fiduciary to discharge his or her duties respecting the plan solely in the interests of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) The exemption is supplemental to, and not in derogation of, any other provisions of the Act and/or Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or